

Application No: 09/545,088
Attorney's Docket No: CGH 3001

REMARKS/ARGUMENTS

This is in response to the Office Action dated February 13, 2006 and the Office Action dated August 2, 2004. No new matter is being presented, and approval and entry of the Amendment are respectfully requested.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §§ 41.33, 1.116

This Amendment is being submitted under 37 C.F.R. § 41.33(a) *before* the filing of an Appeal Brief. The criteria for entry of this amendment, as set forth by § 41.33, is therefore governed by 37 C.F.R. § 1.116.

By way of the foregoing Amendment, claim 57 is amended. No other claim has been amended.

The present amendment complies with 37 C.F.R. § 1.116(b)(2) by presenting claim 57 in better form for appeal.

Approval and entry of the Amendment is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claim 57 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The rejection set forth in the Office Action dated August 2, 2004 recites claim 57 as follows: "A method of purchasing a product, comprising the steps of: providing a first database containing *store* telephone numbers and user information corresponding to each of *the stored* telephone numbers." (emphasis added). However, this paragraph actually sets forth: "A method of purchasing a product, comprising the steps of: providing a first database containing *stored* telephone numbers and user information corresponding to each of *the stored* telephone numbers." (emphasis added).

It is believed that the Examiner may have intended to quote the last paragraph of claim 57, wherein the term "the electronic message" did not have antecedent basis.

The subject amendment provides correction. Approval and entry are respectfully requested.

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REMAINING REJECTIONS

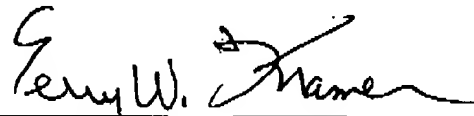
The Applicant respectfully provides notice to the Examiner of an intention to address the remaining rejections by way of a forthcoming Appeal Brief.

CONCLUSION

Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
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